

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

MARTEN GROUP, INC. d/b/a
SENERGY MEDICAL GROUP and
SCOTT TENNANT,

Plaintiffs,

v.

JERALD TENNANT, MD, JOHN
TENNANT, TERESA JESSEN
TENNANT, JARED TENNANT,
TENNANT DEVICES AND
ACCESSORIES, LLC, and
CURADOR,
LLC,

Defendants.

Case No. 3:24-cv-01852

JURY TRIAL DEMANDED

DEFENDANTS' EXPERT DISCLOSURE

Defendants make the following expert disclosure in accordance with Rule 26(a)(2) of the Federal Rules of Civil Procedure and this Court's Scheduling Order as modified by the Court's order granting the parties' stipulated motion to extend Defendants' expert disclosure deadline.

I. Fed. R. Civ. P. 26(a)(2)(B) Witnesses Designated

Defendants hereby designate the following witnesses who may provide expert testimony pursuant to Fed. R. Civ. P. 26(a)(2)(B).

- 1. Dr. Claudia Townsend**
7810 SW 54th Avenue
Miami, FL 33143

Dr. Townsend is an expert in marketing and branding. She holds her PhD

in Marketing and currently serves as an associate professor of marketing at the Miami Herbert Business School at the University of Miami. Dr. Townsend's C.V. is attached as **Exhibit A**.

Dr. Townsend has prepared a report, which is being served on all parties in this litigation but not filed as an exhibit to these designations. Dr. Townsend's report contains a complete statement of all opinions the witness will express and the basis and reasons for them, the facts and data considered by the witness in forming her opinion, and exhibits used to summarize or support her opinions formed in this matter. *See* Fed. R. Civ. P. 26(a)(2)(B)(i)-(iii). Dr. Townsend's report also includes her qualifications, publications authored in the previous 10 years, cases in which she has testified, and a statement of her compensation. *See* Fed. R. Civ. P. 26(a)(2)(B)(iv)-(vi).

2. **Robert Lang**
Alvarez & Marsal Disputes and Investigations, LLC
600 Madison Ave., 8th Floor
New York, New York 10022

Robert Lang is the Managing Director of Alvarez & Marsal Disputes and Investigations, LLC. Mr. Lang was retained by Plaintiffs and Defendants to perform an independent review of the royalty payments owed and made by Scott Tennant and Senergy Medical Group ("Senergy") to Dr. Jerald Tennant. Mr. Lang's qualifications and opinions are set forth in his March 4, 2025, report which

he previously provided to the parties. The facts and data considered by the witness and exhibits used to summarize his opinions are also included in the report.

II. Fed. R. Civ. P. 26(a)(2)(C) Witnesses Designated

Defendants hereby designate the following who may provide expert testimony pursuant to Fed. R. Civ. P. 26(a)(2)(C).

- 1. Dr. Jerald Tennant**
c/o Martinez & Farmer LLP
4020 E. Madison Ave., Suite 300
Seattle, WA 98112

Dr. Tennant has knowledge regarding the initial development of the micro-current therapy devices for use and sale in the United States, including those that were developed with his unique voltage frequencies and marked with his trademarks (Tennant BioModulator® and Tennant BioTransducer®) and his treatment of patients with these devices, including the protocols he developed for treatment. Dr. Tennant will testify as to how the marked devices function, who are the intended users of the marked devices, and his opinion of the benefits of the devices to users. Dr. Tennant will also testify to his ongoing effort to control the quality of his brand and the devices sold under it.

Dr. Tennant also has knowledge about registering and obtaining the trademarks at issue in this litigation (Tennant BioModulator®, Tennant BioTransducer®, and Healing is Voltage®) and passing ownership of those

trademarks to Tennant Devices and Accessories LLC.

Dr. Tennant also has knowledge of the negotiation and meaning of the Royalty Agreements and proposed amendments thereto and the royalty payments Dr. Tennant received from Senergy due to the sale of marked devices. It is Dr. Tennant's opinion that Senergy violated the Royalty Agreements by underpaying Dr. Tennant royalties owed.

Defendants reserve the right to call as an expert witness any witness designated by any other party to this matter. Defendants further reserve the right to supplement this expert witness disclosure and any expert witness report.

Dated: June 2, 2025

Respectfully submitted,

MARTINEZ & FARMER LLP

/s/Tyler L. Farmer

/s/Ariel A. Martinez

Tyler L. Farmer, WSBA No. 39912

Pro Hac Vice

Ariel A. Martinez, WSBA No. 54869

Pro Hac Vice

4020 East Madison St., Suite 300

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BATTISTE CLEMENT PLLC

/s/Alison Battiste Clement

Alison Battiste Clement

Texas Bar No. 24062603
Gabriela Isuani Monahan
Illinois Bar No. 6212056
2626 Cole Avenue, Suite 300
Dallas, TX 75204
Tel: (214) 540-7206
Fax: (972) 629-9818
E: alison@battisteclement.com
E: gabriela@battisteclement.com

ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served upon all counsel of record through CM/ECF on June 2, 2025.

By: /s/Tyler L. Farmer
Tyler Farmer

EXHIBIT A

Claudia Townsend

7810 SW 54th Avenue
Miami, FL 33143

ctownsend000 @ gmail.com

<http://www.bus.miami.edu/thought-leadership/faculty/marketing/townsend.html>

ACADEMIC POSITIONS & PRIOR WORK EXPERIENCE

University of Miami, Miami Herbert Business School
Associate Professor of Marketing, 2017 – present
Assistant Professor of Marketing, 2010 – 2017

Associate Editor, *Journal of Marketing Research*, 2023-present
Associate Editor, *Journal of Marketing*, 2019-present

Senior Project Manager, Analytics Manager, BuzzBack Market Research, NY, NY 2002-2005

Associate Analyst, National Economic Research Associates (NERA), NY, NY 2000-2002

Consultant for Fortune 500, start-up companies, and government agencies 2018-present

EDUCATION

Ph.D., Marketing, Anderson School of Management, University California, Los Angeles, 2010

B.A., *Magna Cum Laude*, Psychology, Economics with honors, Brown University, 2000

RESEARCH INTERESTS

Visual presentation and aesthetics in consumer choice
Prosocial and sustainable consumer behavior
Consumer digital device interaction

AWARDS

Grant Recipient, University of Miami Provost Research Award, 2025 (\$19,500)
PhD Student Mentoring Award, Miami Herbert Business School, 2024
AMA-EBSCO Responsible Research in Marketing Award 2021
Journal of Consumer Research Outstanding Reviewer Award, 2020
MSI Scholar, 2020
Haring Symposium Distinguished Scholar, 2019
Journal of Marketing Outstanding Reviewer, 2018
CBSIG (AMA Consumer Behavior Group) Research in Practice Award winner, 2018
Emerging Scholar Award, University of Miami School of Business Administration, 2017
MSI (Marketing Science Institute) Young Scholar, 2016
Grand recipient, University of Miami Provost Research Award 2012, 2014, 2015, 2016, 2017
(\$17,000 each year except \$6,500 in 2016)

UCLA Graduate Division Dissertation Year Fellowship 2009-2010

Fellow, AMA-Sheth Doctoral Consortium 2009

Grant Recipient, UCLA Center for International Business Education and Research 2008

RESEARCH

Publications – Articles

1. Cesareo, Ludovica, Claudia Townsend, and Eugene Pavlov (2022), "Hideous but worth it: Distinctive ugliness as a signal of luxury," *Journal of the Academy of Marketing Science*, December.
2. Morgan, Samuel Carter, Rebecca Walker Reczek, Cait Lamberton, and Claudia Townsend (2022), "Friends Interrupted: How Reunions after Social Separation Motivate Physically Transformative Consumer Behavior," *Journal of the Association for Consumer Research (JACR)*.
3. Morgan, Samuel Carter and Claudia Townsend (2022), "Why the drive: The utilitarian and hedonic benefits of self-expression through consumption," *Current Opinion in Psychology special issue on The Coin of Consumption: Understanding the Bright and Dark Sides*. August (46), 101320.
4. Morgan, Samuel Carter, Tatiana Fajardo, and Claudia Townsend (2021), "Show it or Say it: How Brand Familiarity Influences the Effectiveness of Image-based versus Text-based Logos," *Journal of the Academic of Marketing Science*, February.
5. Patrick, Vanessa M., Laura A. Peracchio and Claudia Townsend (2019), "Uncovering the Potential of Aesthetics and Design to Transform Everyday Life," *Journal of the Association of Consumer Research*, 4(4), 306-312.
6. Melissa G. Bublit, Tracy Rank-Christman, Luca Cian, Xavier Cortada, Adriana Madzharov, Vanessa M. Patrick, Laura A. Peracchio, Maura L. Scott, Aparna Sundar, Ngoc (Rita) To, and Claudia Townsend (2019), "Collaborative Art: A Transformational Force within Communities," *Journal of the Association for Consumer Research*, Vol 4 (4).
7. Townsend, Claudia, David T. Neal, and Carter Morgan (2019), "The impact of the mere presence of social media icons on product interest and evaluation," *Journal of Business Research*, 100 (July), 245-54.
8. Gallo, Iñigo, Claudia Townsend, and Inés Alegre, (2019) "Experiential Product Framing and Its Influence on the Creation of Consumer Reviews," *Journal of Business Research*, 98 (May), 177-190.
9. Buechel, Eva and Claudia Townsend (2018), "Buying Beauty for the Long Run: (Mis)predicting Liking of Product Aesthetics," *Journal of Consumer Research*, 45 (2), 275-97.
10. Fajardo, Tatiana M., Claudia Townsend, and Willy Bolander (2018), "Toward an Optimal

Donation Solicitation: Evidence from the Field of the Differential Influence of Donor-Related and Organization-Related Information on Donation Choice and Amount,” *Journal of Marketing*, 82 (2), 142-52.

11. Townsend, Claudia (2017), “The Price of Beauty: The Differential Effects of Design With and Without Cost Implications on Donor Solicitations” *Journal of Consumer Research*, 44(1), 794-815.
12. Sevilla, Julio and Claudia Townsend (2016), “The Space-to-Product Ratio Effect: How Interstitial Space Influences Aesthetic Appeal, Store Perceptions and Product Preference” *Journal of Marketing Research*, 53 (October), 665-681.
13. Fajardo, Tatiana and Claudia Townsend (2016), “Where you say it matters: Why packages are a more believable source of product claims than advertisements” *Journal of Consumer Psychology*, 26 (3), 426-34.
14. Roggeveen, Anne L., Dhruv Grewal, Claudia Townsend, and R. Krishnan (2015), “The Impact of Dynamic Presentation Format on Consumer Preferences for Hedonic Products and Services,” *Journal of Marketing*, November, 79(6), 34-49.
15. van Tilburg, Miriam, Theo Lievan, Andreas Hermann, and Claudia Townsend (2015), “Beyond ‘Pink it and Shrink it’: The Influence of Product Gender through Aesthetics on Product Value”, *Psychology and Marketing*, 32 (4), 422-437.
16. Shu, Suzanne B. and Claudia Townsend (2014), “Using Aesthetics and Self-affirmation to Encourage Openness to Risky (and Safe) Choices,” *Journal of Experimental Psychology: Applied*, 20 (March), 22-39.
17. Townsend, Claudia and Barbara E. Kahn (2014), “The Visual Preference Heuristic”: The Influence of Visual Versus Verbal Depiction on Assortment Processing, Perceived Variety, and Choice Overload,” *Journal of Consumer Research*, 40(5), 993-1015.
18. Khushaba, Rami, Chelsea Wise, Sarath Kodagoda, Jordan Louviere, Barbara E. Kahn, and Claudia Townsend (2013), “Consumer Neuroscience: Assessing the Brain Response to Marketing Stimuli Using Electroencephalogram (EEG) and Eye Tracking,” *Transactions on Systems, Man, and Cybernetics--Part C: Applications and Reviews*, 40(9), 3803-3812.
19. Townsend, Claudia and Wendy Liu (2012), “Is Planning Good for You? The Differential Impact of Planning on Self Regulation,” *Journal of Consumer Research*, 39(4), 688-703.
20. Townsend, Claudia and Sanjay Sood (2012), “Self-Affirmation Through the Choice of Highly Aesthetic Products,” *Journal of Consumer Research*, 39(2), 415-428.
 - Reprinted (2013) *Journal of Consumer Research*, Volume 40 June Supplement: Research Curations 2012

- Summary version published as Townsend, Claudia “Choosing Beauty and Feeling Good: How Attractive Product Design Increases Self-Affirmation” in *GfK Marketing Intelligence Review*, November, 7(2), 22-26.

21. Townsend, Claudia and Suzanne B. Shu (2010), “When and how aesthetics influences financial decisions,” *Journal of Consumer Psychology*, 20(4), 452-458.

Publications – Book Chapters

1. Townsend, Claudia, Ulrike Kaiser, and Martin Schreier (2015) “User Design through Self-Customization” in *Cambridge Handbook of Consumer Psychology*, ed. Michael Norton, Derek Rucker, and Cait Lamberton, Cambridge University Press, Cambridge, MA.
2. Townsend Claudia and Sanjay Sood (2015) “The Inherent Primacy of Aesthetics versus Other Product Attributes” in *The Psychology of Design: Creating Consumer Appeal*, ed. Rajeev Batra, Coleen Seifert, and Diann Brei, Routledge, Boca Raton, FL.
3. Kahn, Barbara E., Evan Weingarten, and Claudia Townsend (2013) “Assortment Variety: Too Much of a Good Thing?” in *Review of Marketing Research*, ed. Naresh K. Malhotra, 10, Bingley, U.K, 1-23.

Publications – Other

1. Patrick, Vanessa M., Laura Perrachio, and Claudia Townsend (2019), Editorial Note: “The DBL (Double Bottom Line) of Aesthetics: Uncovering the Potential of Aesthetics and Design to Transform Everyday Life,” *Journal of the Association for Consumer Research*, , Vol 4 (4).
2. Gallo, Iñigo and Claudia Townsend (2017), “Selling Experiences to Connect With Consumers: Experiential Advertising” *IESE Insight*, 32, First Quarter, 23 – 30.

CONFERENCE PUBLICATIONS & PRESENTATIONS

Since 2005 I have chaired sessions, presented, or had co-authors present research at the leading academic marketing conferences including the following: American Psychological Association Annual Convention, Association for Consumer Research, Behavioral Decision Research in Management (BDRM), Marketing Science, Society for Consumer Psychology, and Society for Judgment and Decision-Making.

TEACHING

Foundations of Marketing Management (MBA Working Professionals), Spring 2014, 2017, 2019-present

Sustainable Marketing (Graduate Level) 2019-present

Consumer Behavior (Doctoral Seminar) 2019, 2021, 2024

Principles of Marketing (undergraduate), Spring 2011- 2018

Guest lecturer – Aesthetics in New Product Development (MBA), 2010- 2012

Executive Education: Sessions on Personal Branding, Brand Identity, and Aesthetics in Product Development

Dissertation Chair

Carter Morgan	University of Miami, May 2019
Benjamin Borenstein	University of Miami, May 2021
Vincentia Yuen	University of Miami, May 2025 (expected)
Suwon Choi	University of Miami, May 2026 (expected)

Dissertation Committees

Iñigo Gallo	UCLA Anderson School of Management, May 2013
Eva Buechel	University of Miami, May 2014
Anthony Salerno	University of Miami, May 2014
Tatiana Fajardo	University of Miami, May 2015
Noah VanBergen	University of Miami, May 2017
Luke Nowlan	University of Miami, May 2019

INVITED TALKS

Carnegie Mellon University (2025)
 Hong Kong PolyU (2025)
 New York University (2024)
 Telfer School of Management, University of Ottawa (TBD)
 The Chinese University of Hong Kong, Shenzhen (2023, virtual)
 Telfer School of Management, University of Ottawa (2023)
 Grenoble Ecole de Management (2023, virtual)
 Kent State (2022, virtual)
 Columbia University (2022)
 Hong Kong Polytechnic University (2022, virtual)
 San Diego State University (virtual, 2021)
 Marketing Science Institute Scholar (2020, held in 2022)
 University of Texas, Austin (2020)
 Indiana University (2019)
 Marketing Science Institute (MSI) Accelerator Program (2019)
 Haring Symposium, Distinguished Scholar, Indiana University (2019)
 Vanderbilt University (2019)
 University of Houston (2019)
 Wharton, University of Pennsylvania Marketing Camp (2018)
 Ohio State, 2017 Fisher Invitational Workshop on New Product Development (2017)
 University of San Diego (2017)
 Southern Methodist University (2015)
 University of Pittsburgh (2015)
 University of South Carolina (2015)
 University of Maryland (2014)
 IESE Business School, Barcelona Spain (2013)
 McGill University (2012)
 Northwestern University (Kellogg) (2012)
 Georgetown University (2011)
 University of Miami (2009)

University of California, San Diego (2009)
University of Southern California (2009)
Arizona State University (2009)
Dartmouth College (2009)
Fordham University (2009)

PROFESSIONAL AND COMMUNITY SERVICE

Service to the Community

Associate Editor, *Journal of Marketing* 2019-present
Associate Editor, *Journal of Marketing Research*, 2023 - present

Special Issue Co-Editor 2019

Journal of the Association for Consumer Research 2019 Vol.4, Issue 4 "Everyday Consumer Aesthetics: Transformative Directions for Aesthetics in Everyday Life"

Editorial Review Board Member

Journal of Consumer Research 2014-2024
Journal of Marketing Research 2018-2023
Journal of Marketing 2018-2019
Journal of Business Research 2016-2018

Ad-Hoc Reviewer for Journals

Journal of Consumer Research, 2011-2014
Journal of Marketing Research, 2012-2018
Journal of Marketing, 2015-2018
Journal of Consumer Psychology, 2009-present
European Journal of Marketing, 2014-present
International Journal of Research in Marketing, 2016
Journal of Consumer Behaviour, 2015-present
Journal of Experimental Psychology: Applied, 2015-2016
Journal of Marketing Management, 2015
Journal of Public Policy and Marketing 2016-present
Design Studies 2012
SAGE Open – Ad Hoc Article Editor 2014
The Technology Foundation STW (Dutch), Ad Hoc Article Editor 2015

Ad-Hoc Reviewer for Conferences and Competitions

AMA-EBSCO-RRBM Award Evaluator 2021
Association for Consumer Research Conference, 2009-present
Society for Consumer Psychology Conference, 2010- present
European Marketing Academy Conference, 2015
MSI Dissertation Competition, 2014, 2017
AMA Summer Educators' Conference Consumer Behavior Track 2011, 2013-15
Hong Kong Research Grants Council 2012
Academy of Marketing Science Conference, 2009, 2010, 2014-15

Conferences

Conference Co-Chair Society for Consumer Psychology Annual Conference, Las Vegas, NV, 2024
Doctoral Consortium Mentor Society for Consumer Psychology Annual Conference, Nashville, TN, March 2024

Senior Faculty Participant and Mentor, Tenure Project Conference, Wharton School, 2023
Chair, Women in Marketing Science Luncheon, Miami, 2023

Associate Editor

Society for Consumer Psychology, Nashville, TN 2024
Society for Consumer Psychology, San Juan, PR 2023
Society for Consumer Psychology, virtual 2022
Society for Consumer Psychology, virtual 2021
Society for Consumer Psychology, Huntington Beach, CA 2020

Track AE

Summer AMA – Art of Promotion Track, Chicago 2019

Co-Chair

Aesthetics of Community Transformation Pop-Up Conference, Miami 2018

Committee Membership

Association for Consumer Research

Program committee member, 2019-22
Doctoral consortium presenter, 2015
Roundtable on everyday aesthetics panelist, 2017

Society for Consumer Psychology

Pre-conference co-chair, 2018
Doctoral consortium presenter, 2014, 2017
Round table on self-identity and consumer behavior panelist 2014
Local arrangements conference chair 2014
Ad-Hoc Finance Committee member 2013-2014
Conference program committee member 2011, 2022

AMA Educators' Conference Consumer Behavior Track, Co-Chair Winter 2014

Invited speaker

For the University

Miam Herbert Business School Family Circle 2025
Audrey Finkelstein Lecture Series event for alumni and donors 2021
University of Miami Alumni Association 2020
University of Miami Women's Guild: Aesthetics in New Product Development 2017

For the community

Expressions, Miami Design District 2022
South Florida Business Journal 2019
Geek Girls of South Florida, topic: Market Research for Start-Ups 2012
Jewish Women's Foundation of Broward County, topic: Social Media for Business 2013
IVY Social University, topic: Changing Behavior with Social Science 2016, 2017

Service to the University

Faculty Senate Committee on Professional Conduct (CPC) member 2020-present
Research Council, member 2013-present

Service to the School

Strategic Plan Executive Committee 2024
Ad hoc Metaverse Marketing Committee 2022
Ad hoc strategic plan addendum task force 2021

Behavioral Decision-Making Cluster Co-chair 2018-present
Undergraduate Business Education Committee Member 2016-2022
Miami Business School Arts Initiative Committee 2018-2022
Academic Continuity Task Force 2020
Undergraduate Student Art Committee Creator and Mentor 2019-2020
Miami Business School Steering Committee 2018

Service to the Department

Marketing Advisory Council Coordinator 2022-present
Course coordinator, Principles of Marketing (MKT 201/301) 2017-2024
'Canes Behavioral Lab Coordinator 2018-2024
Meet the Faculty Webinar 2020
New York City marketing trip, organized recruitment, applications, and trip 2010-13,
2017-21
Speaker series and marketing camp coordinator 2016-17

PROFESSIONAL AFFILIATIONS

American Marketing Association
American Psychological Association
Association for Consumer Research
Society for Consumer Psychology
Society for Judgment and Decision Making